

Panaji, 25th April, 1974 (Vaisakha 5, 1896)

SERIES II No. 4

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

EXTRAORDINARY

GOVERNMENT OF GOA, DAMAN AND DIU

Labour and Information Department

Order

No. LC/1/ID(28)/74/480

Whereas the Management of M/s Chowgule and Co. Pvt. Ltd., Mormugao Harbour, Goa and the workmen represented by The Goa Dock Labour Union, Sambhaji, have entered into an agreement on 2nd March, 1974 to refer the Industrial Dispute existing between them to an arbitrator under Sub-Section 3 of Section 10-A of the Industrial Disputes Act, 1947 (14 of 1947).

And whereas a copy of the said arbitration agreement has been received by the Government of Goa, Daman and Diu on 4th April, 1974.

Now, therefore, in exercise of the powers under sub-Section (3) of the said Section 10-A of the Industrial Disputes Act 1974, the Lieutenant Governor of Goa, Daman and Diu hereby orders the publication of the said arbitration agreement in the Official Gazette as hereunder:

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour.

Panaji, 20th April, 1974.

FORM (C)

Agreement

(Under Section 10-A of the Industrial Disputes Act, 1947)

Between

Names of the parties:

Representing Employers: Shri D. P. Sinha, Labour Officer, M/s. Chowgule & Co. Pvt. Ltd., Mormugao Harbour (Goa).

Representing Workmen: Shri S. V. Rao, Member of the Executive Committee, Goa Dock Labour Union, Post Box 87, Sambhaji (Goa).

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri M. G. Chitale, Industrial Tribunal Goa, Daman and Diu, Arun Chambers, Tardeo, Bombay-34.

(i) Specific matters in dispute:

1. «Whether the action of the management of M/s. Chowgule & Co. Pvt. Ltd., Mormugao Harbour (Goa), in discontinuing the payment of extra wages as laid down under the clause 8 of their certified standing orders in respect of the workmen of their barges, with effect from 1st January, 1972 is legal and justified?

If not, to what relief the workmen are entitled and from what date?

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved:

a) M/s. Chowgule & Co. Pvt. Ltd., Mormugao Harbour, Goa.

b) Goa Dock Labour Union, Post Box 87, Sambhaji, Goa.

(iii) Name of the workmen in case he himself is involved in the dispute or the name of the Union, if any, representing the workman or workmen in question: Goa Dock Labour Union, Post Box 87, Sambhaji (Goa).

(iv) Total number of workmen employed in the undertaking affected: 310 (approx.).

(v) Estimated number of workmen affected or likely to be affected by the dispute is 300 (approx.).

We further agree that the decision of the Arbitrator shall be binding on us.

The arbitrator shall make his Award within a period of 90 days, from the date of publication of this agreement in Government Gazette or within such further time as is extended by mutual agreement between us in writing. In case the Award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties:

Representing the employer:

D. P. Sinha

Representing the workmen:

S. V. Rao

Witnesses:

1. (I. R. D'Mello).

2. (D. S. Pedneker).

Dated: 2nd March, 1974.

I accept to arbitrate in this industrial dispute.

M. G. Chitale

Industrial Tribunal,
Goa, Daman and Diu